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ATTORNEY DOCKET NO. CONFIRMATION NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR 12732-008001 7392 09/769,765 01/26/2001 Shunpei Yamazaki **EXAMINER** 26171 11/17/2003 SCHILLINGER, LAURA M FISH & RICHARDSON P.C. 1425 K STREET, N.W. PAPER NUMBER ART UNIT 11TH FLOOR WASHINGTON, DC 20005-3500 2813

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.			Ar .	
### Examiner Brailinger Br		Application No.	Applicant(s)	
Laura M Schillinger 2813 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE WALLING DATE of THIS COMMUNICATION. If the period for reply specified above is less than birty (30) stays, a reply with the statutory minimum of thirty (20) stays with a consideration if the period for reply specified above is less than birty (30) stays, a reply with the statutory minimum of thirty (20) stays with a consideration in the period for reply specified shows the maximum statutory period with agree 5% (10) MoNTHS from the making date of risks communication. If the period for reply specified shows the maximum statutory period with agree 5% (10) MoNTHS from the making date of risks communication that the period for reply specified shows the maximum statutory period with agree 5% (10) MoNTHS from the making date of risks communication. If the period for reply specified shows the maximum statutory period with agree with with the statutory in the statutory period with agree with with the statutory period with agree with with the statutory in the statutory reply date of this communication. If the period for reply specified shows the making date of this communication, even if timely filed, may reduce any search patient and specified the specified shows the making date of this communication. Status Status Status Status Status Status Status Status Application is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C. D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 17-24 and 48-78 is/are pending in the application. 4) Of the above claim (s) 48-75 and 78 is/are withdrawn from consideration. 5) Claim(s) 17-24 and 78 is/are pending in the application. 4) Claim(s) 17-24 and 78 is/are pending in the application. 4) The proposed drawing corrected to the static intervention of the formation of the formation o	في سس	09/769,765	YAMAZAKI ET AL.	
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Art Unit: 2813

DETAILED ACTION

This Office Action is in response to Amendment B, dated 8/25/03, in Paper No.15.

Election/Restrictions

This application contains claimed 48-75 and 78 drawn to an invention nonelected with traverse in Paper No. 15. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Applicant continues to traverse the Examiner's restriction requirement, in Paper No. 15, dated 9/5/03. However such arguments are not persuasive because claims 48-75 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1 claims 48-54 and 78 requires a second insulating film covering the second electrode;

Species 2, claims 55-61 does not require a second semiconductor layer nor a second electrode with overlapping structures;

Species 3, claims 62-68 requires a gate wiring connected to a gate electrode;

Species 4, claim 69-75 requires a gate electrode overlapping the first semiconductor film.

Consequently, the Examiner's restriction requirement is made FINAL.

Application/Control Number: 09/769,765

Art Unit: 2813

Allowable Subject Matter

Claims 17-24 and 76-77 are allowed.

The following is an examiner's statement of reasons for allowance:

In reference to claims 17, Nakazawa teaches a device comprising:

A first semiconductor layer and a second semiconductor layer on an insulating substrate (Fig.7A-E(107 and 108a));

A first insulating film on the first semiconductor layer and on the second semiconductor layer (Fig.7A-7E (109))

A first electrode on the first insulating film, overlapping the second semiconductor layer (Fig.6E (114 and 115)

A source wiring on the first insulating film (Fig.13 (253-256));

A second insulating film covering the first electrode and source wiring (Fig.13 (252,261-262));

A gate wiring adjacent to the second insulating film, connected to the first electrode (Fig.13 (249-250));

A connection electrode on the second insulating film, connected to the source wiring and the first semiconductor layer (Fig.13 (260) and

A pixel electrode on the second insulating film, connected to the first semiconductor layer (Fig.13 (263));

Wherein at least on end of the pixel electrode (263) overlays the source wiring (253 or 256) with the second insulating film (252,261-262) interposed therebetween (Fig.13).

Application/Control Number: 09/769,765

Art Unit: 2813

However, Nakazawa et al fails to teach nor suggest that the gate wiring is over the second insulating film as amended claim 17 recites. The gate wiring (249 and 250) are formed beneath interlayer dielectric layers (252, 261 and 262) which qualify as the second insulating film recited in claim 17. The gate wirings 249 and 250 are formed from the same material as the gate electrode and are connected thereto. Therefore there is no suggestion to modify the gate wirings to be formed over the second insulating layer, since second insulating layers are formed to encapsulate the underlying gate electrode, in combination with the above-recited structural elements. Consequently, claims 17-24 and 76-77 are deemed to be allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

This application is in condition for allowance except for the following formal matters:

Applicant has non-elected claims 48-75 and 79 still pending.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Art Unit: 2813

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M Schillinger whose telephone number is (703) 308-6425. The examiner can normally be reached on M-T, R-F 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W Whitehead, Jr. can be reached on (703) 308-4940. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

LMS

November 13, 2003

CARL WHITEHEAD, JR SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2800